

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY
BOARD MEETING MINUTES
November 14, 2011**

A regular meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Office of Occupation and Professions 911 Leawood Drive, Frankfort Kentucky, on November 14, 2011.

MEMBERS PRESENT

Theresa Crisler, ND, Board Chair
Denise Logsdon, LMT
Cheryl Turner, ND, Vice-Chair
Holly Barnhill, LMT
Laurie Bond Horsford, Secretary
Max Maxwell, Citizen-at-Large

MEMBERS ABSENT

OFFICE OF THE ATTORNEY GENERAL

James Grawe, Board Attorney

OCCUPATIONS AND PROFESSIONS STAFF

Jeremy Horton, Deputy Executive Director
Carolyn Benedict, Board Administrator

OTHERS

Eric Byrd, AMTA-KY Laws and Legislation
Brent Williams, Louisville School of Massage
Shannon Bouchillon, Louisville School of Massage
Charles Watson, Advances Massage
Tom Hansen, NCBTMB

CALL TO ORDER

Ms. Crisler, Board Chair, called the meeting to order at 10:09 a.m.

GUEST

Charles Watson addressed the Board with regard to his concerns that the application process was not being handled efficiently. Ms. Crisler explained that it had long been the Board's policy that any item to be placed on an agenda had to be received 10 business days before the meeting. She further explained that the 10 day deadline is different than notification to an applicant that their application had been received and giving them 20 days to submit additional information, or risk having their application denied for being incomplete. Of the 7 examples Mr. Watson provided the board with, with the exception of one, all appeared to have been licensed in a timely manner.

He also voiced his dissatisfaction with the Board offering free continuing education. He stated that it was not the Board's job to offer continuing education and that by doing so they were competing with the schools. Ms. Crisler stated that the board felt like it was "giving back" to the licensee's for the licensing fee. She continued by saying that it was one of many choices a licensee could make with regard to continuing education.

MINUTES

October 17, 2011 minutes were reviewed. A motion was made by Ms. Horsford to approve the minutes. Motion, seconded by Mr. Maxwell, carried unanimously.

FINANCIAL STATEMENT

The financial statement was reviewed.

LICENSURE STATUS REPORT

A Licensure Status Report ending October 31, 2011 and report showing licensed expired in October 2011, was presented to the Board for review.

CHAIRPERSON'S REPORT

Ms. Crisler stated that all of her concerns would be addressed as the meeting progressed.

ATTORNEY'S REPORT

Mr. Grawe, attending on behalf of Michael West, discussed correspondence from the attorney for Jennifer Barnes. Ms. Barnes' attorney has been corresponding with the board because she is unable to provide transcripts for licensure because the school she attended is no longer in business. Following discussion Mr. Grawe was asked to draft a reply to Ms. Barnes' attorney asking for the following: exam scores, breakdown of 500 hours of training earned at Kentucky School of Therapeutic Massage, any syllabi or supporting documentation available, previous license verification, application for initial license, and \$125 fee made payable to the Kentucky State Treasurer. Upon receipt the board would review the application and additional information to see if Ms. Barnes met the requirements for licensing.

Because the above referenced letter discussed the possibility of a "bridge" program Ms. Barnhill suggested the Board discuss the matter further and perhaps develop a policy regarding that. Ms. Crisler asked Ms. Barnhill to develop some general language and guidelines to perhaps clarify the game in hours of programs less than 600 hours and present it at the December meeting.

REPORT FROM O&P

Mr. Horton told members that two new supervisors had been hired. Susan Ellis had been hired as the supervisor of the Operations Section and Deb Day will be the supervisor of the board administrators.

Regarding the need for a board investigator, Mr. Horton had given members a copy of the old solicitation used by the board several years ago. Following review and discussion, Ms. Turner made a motion that a new solicitation be posted with the amount for services being increased to \$30,000. Ms. Barnhill seconded the motion. The motion carried. Mr. Horton stated that he would move forward with the process right away. He also stated that he would continue to explore the possibility of a joint contract for an investigator with another board.

OLD BUSINESS

Information with regard to discontinuing wallet cards was discussed. AMTA reported that 60% of all members that responded were in favor of keeping the cards. Ms. Crisler asked Board members to read the comments included in the agenda packet and be prepared to vote on the matter at the December 12, 2011 board meeting.

Planning of the board offered continuing education program continued. Ms. Barnhill stated that the Lexington Healing Arts Academy offered their facility at no cost. It is available February 6, 2012 from 2:00 p.m. – 8:30 p.m. Three hours of career related training will be provided by an instructor from the Health Arts Academy and three hours of ethics will be taught by Ms. Turner. Ms. Crisler stated that she would provide language for post cards to be mailed to all licensees. Mr. Maxwell made a motion that a post card be mailed to all active licensees making them aware of the upcoming training. Ms. Turner seconded the motion. The motion carried.

NEW BUSINESS

Potential meeting dates for 2012 were discussed. Mr. Grawe agreed to give the dates to Mr. West. The board will finalize the dates at the December 12, 2011 board meeting.

Email correspondence from Marilyn Gossett, from Sun Touch Massage School, was reviewed. Ms. Gossett wanted to know if a formula for translating hours of college credit to classroom hours existed. The board asked Ms. Benedict to respond to Ms. Gossett informing her that she needed to contact the college. They stated the information would be available from the college because the accrediting body would require the school to provide that information.

Email correspondence from Kristie Coffey was reviewed. Ms. Coffey was asking for consideration with regard to her late renewal because she was primary caregiver for a sick parent. Following discussion Ms. Benedict was asked to respond to Ms. Coffey's email asking her to send a renewal application, late renewal fee, evidence of having completed the required hours of continuing education, and a statement confirming that she was the primary caregiver for her parent. Upon receipt the application committee will review it and make a recommendation to the board. Because Ms. Coffey is a Lexington Healing Arts Academy graduate Ms. Barnhill recused herself from discussion at 12:09 and left the room. She returned at 12:15.

Email correspondence from Lonnie Winters was reviewed. Mr. Winters had asked if massage therapists performing deep tissue massage, myofascia release, and trigger point therapy for chiropractors had to be licensed to do so. Ms. Benedict was asked to reply to Mr. Winters stating that anyone performing massage therapy as defined KRS 309.350 must be licensed. She was also to refer him to the website to obtain a complaint form if he wished to make a formal complaint to the board regarding unlicensed practice.

Email correspondence from Amy Adams was reviewed. Ms. Adams was asking about "the legalities of uncertified chiropractic assistants being instructed by a chiropractor to perform massage on patients with various injuries/ailments in a chiropractic office." Ms. Benedict was asked to respond to Ms. Adams stating that the matter warranted an investigation and to refer her to the website to obtain a complaint form if she wished to make a formal complaint to the board.

COMPLAINT COMMITTEE REPORT

The Complaint Committee met on November 14, 2011 at 8:30 a.m. at the Office of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky. Ms. Turner provided the following recommendations:

2011-01 – Dismissed without prejudice.
2011-04 – Dismissed without prejudice.
2011-05 – Cease and Desist letter pending. Ongoing.
2011-07 – Civil action seeking injunction signed by chair. Ongoing
2011-12 – Administrative Complaint filed. Ongoing
2011-13 – Dismissed.

Ms. Logsdon made a motion to approve the Complaint Committee recommendations, as presented. The motion, seconded by Ms. Horsford, carried unanimously.

APPLICATION COMMITTEE REPORT

The Applications Committee met on September 13, 2011 at 10:00 a.m. at the Office of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky.

Initial Applications

Approved (19): *Michael T. Adams, Jason Dailey, Erica Duncan, Megan Lester, Roberta O'Shaughnessy, Rachel Riordan, Carrie Sellars, Benji Taylor, Kristen Wiley, Natasha Napier, Jennifer Lovins, Marcie Mills, Misty Vaughn, Megan Bellamy, Caressa Bohannon, Cassandra Cooper, James Johnson, Michelle Koenigsknecht, Natalie Yarnall*

Approved w/probation (1): *Colene Tyler,*

Approved Pending (4): *Perry Burns, Ashley Gallo, Jeremy Smith, April Mikesell*

Deferred (3): *Lakesha Ferguson, Jie Zhang, Chung Liang Zhao*

Preliminary Determination of Denial (2) – *Erin Lawrence, Krista Hisle*

Endorsements

Approved (1): *Lisa Staport*

Online Renewals

Approved (19): Melissa Boarman, Nicole Brickler, Jamie Devine, Mitzie Finn, Maria Green, Marlana Henson, Emily Hicks, Mary Klopp, Barbie Layne, Cathy Mayne, Pamela Mastin, Lauren McChesney, Stacie Mitchell, Jack Riley, Megan Slaughterbeck, Nina Tovar, Carmeline Willoughby, Kristin Worley, Kristina Zeigler

Approved pending additional requirements (6): *Gregory Brown, Deanna Hall, Veronica Hewlett, Julie Lakes, Allison Reschke, Kristie Smith-Sallee*

Renewals

Approved (21): *Kathryn Bashore, Emily Baskin, Heather Bullock, Tanya Carman, Amy Daniel, Marie Dielman, Terri Garrelts, Elizabeth Gehrke, Sue Hale, Shannon McDougal, Jamie L. Moore, Scott Nelson, Hong Liang Qu, Roberta Richards, Pilar Salinas-Bedo, Donna Shriver, Starla Solan, Kathryn Tallichet, Pamela Ward, Rhonda Yelton, Qing Qing Zhang*

Approved pending additional requirements (3): *Lynzee Embry, James Kelly, Christopher Ping,*

Refund (renewed over a year in advance) (1): *Feng Zhang*

Continuing Education

Deferred (1): *Intro to Biodynamic Craniosacral Therapy*

Ms. Horsford moved to accept the report from the applications Committee. The motion, seconded by Ms. Turner, carried unanimously.

TRAVEL AND PER DIEM

Mr. Maxwell made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Ms. Turner, carried unanimously.

ADJOURN

With no further business to be brought before the board Mr. Maxwell made a motion that the meeting be adjourned at 1:25 p.m. on Monday, November 14, 2011. The motion, seconded by Ms. Turner, carried unanimously.